

**Enterprise Privacy and Security Office - External Event Tracking Log
(06-01-11 to 11-14-11)**

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Type of External Event	Official Notification Date of "External Event" Sent to ISOF	Originating Source of "External Event"	Working Title	Comments
Univita non-PHI Security Incident	06/03/11	Univita	Unauthorized Disclosure of non-Protected Health Information (non-PHI)	The CalPERS Long-Term Care Program receives notices from its third party administrator (Univita) when there are information security breeches. The Long-Term Care Program understands that all non-Protected Health Information (non-PHI) breeches must be reported to the Enterprise Privacy and Security Office (EPPO) as External Events. For this unauthorized disclosure which was discovered on May 31, 2011, the specific data that was disclosed was the person's name, address, coverage ID number, current coverage plan, premium rate, and requested rate quote information on a rate quote letter. No medical information was disclosed.
Blue Shield of California HIPAA Security Incident	06/07/11	Blue Shield of California	Unauthorized Disclosure of Protected Health Information	<p>Blue Shield of California reported a security incident which occurred June 6, 2011 and which involved one CalPERS member. The member information was accidentally faxed to a different doctor's office. The Protected Health Information (PHI) disclosed was the member's Subscriber name, Subscriber identification number, address, date of birth, group number, office visit copay, and Primary Care Physician information. There were no Social Security numbers involved with this incident.</p> <p>Blue Shield confirmed the information was shredded and a series of reinforcements and reminders were administered to staff. In accordance with federal regulations, Blue Shield did not notify the individuals as it was determined, after a risk assessment, that the individual whose PHI was accessed, used, or disclosed was not harmed. [75 Fed. Reg. 42740, 42744 (August 24, 2009)]</p>

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Univita non-PHI Security Incident	06/15/11	Univita	Unauthorized Disclosure of non-Protected Health Information (non-PHI)	The CalPERS Long-Term Care Program receives notices from its third party administrator (Univita) when there are information security breeches. The Long-Term Care Program understands that all non-Protected Health Information (non-PHI) breeches must be reported to the EPPO as External Events. For this unauthorized disclosure which was discovered on May 24, 2011, the specific data that was disclosed was the Individual's dates of service, payment amounts, and check issuance dates for periods of payment prior to the Recipient's (Accredited Nursing Care) assignment of benefits (AOB). No medical information was disclosed. The Customer Service Supervisor provided the Customer Service Representative with individual coaching on AOB process and what payment dates of service can be provided to a provider.
Univita non-PHI Security Incident	06/27/11	Univita	Unauthorized Disclosure of non-Protected Health Information (non-PHI)	The CalPERS Long-Term Care Program receives notices from its third party administrator (Univita) when there are information security breeches. The Long-Term Care Program understands that all non-Protected Health Information (non-PHI) breeches must be reported to the EPPO as External Events. For this unauthorized disclosure which was discovered on June 21, 2011, the specific data that was disclosed was the Individual's name and policy number on a refund check. No medical information was disclosed. In addition, the Univita analysis of the disclosure indicates that the Covered Entity has no HIPAA reporting obligation. This disclosure of PHI was not a breach subject to reporting under HIPAA because the PHI was sent to another Covered Entity bound by HIPAA (see page 42744 of the 8/24/09 Federal Register).

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Blue Shield of California HIPAA Security Incident	07/05/11	Blue Shield of California	Unauthorized Disclosure of Protected Health Information	Blue Shield of California reported a security incident which occurred on June 14, 2011 and involved one (1) CalPERS member. The member's ID card was sent to an incorrect address. The Protected Health Information disclosed was the member's subscriber name, names of dependents, subscriber ID number, group number, and effective dates. There were no Social Security numbers involved with this incident. Blue Shield issued a new subscriber identification number for the member (to be effective 01/01/11). The representative who updated the address received additional training and feedback.
Blue Shield of California HIPAA Security Incident	07/07/11	Blue Shield of California	Unauthorized Disclosure of Protected Health Information	Blue Shield of California (BSC) reported a security incident which occurred May 26, 2011 and involved one (1) CalPERS member. The High Desert Medical Group received a letter pertaining to the member (the member is not part of their group). The Protected Health Information disclosed was the member's name, ID number, and date of birth. The member's Social Security number was not involved with this incident. The High Desert Medical Group returned the member's information to BSC. The BSC employee responsible for the incident was counseled by her supervisor and future letters will be reviewed by the supervisor to ensure they are addressed to the correct recipient prior to mailing.

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Blue Shield of California HIPAA Security Incident	07/12/11	Blue Shield of California	Unauthorized Disclosure of Protected Health Information	Blue Shield of California (BSC) reported a security incident which occurred June 28, 2011 and involved one (1) CalPERS member. A "care tips" message intended for a provider was accidentally faxed to a residence because the BSC provider file contained an incorrect fax number. BSC was made aware of the incident after the recipient contacted BSC about the error and agreed to shred the document. The Protected Health Information disclosed was the member's name, date of birth, and subscriber identification number. The member's Social Security number was not involved with this incident. Because BSC confirmed the information was shredded and the provider file was updated with the correct fax number, BSC has not notified the member as it was determined, after a risk assessment, that the member whose PHI was accessed, used, or disclosed was not harmed. [75 Fed. Reg. 42740, 42744 (August 24, 2009)].
Anthem Blue Cross HIPAA Security Incident	07/19/11	Anthem Blue Cross	Unauthorized Disclosure of Protected Health Information	<p>Anthem Blue Cross reported two (2) security incidents which occurred May 9, 2011 and June 29, 2011 and which involved two (2) CalPERS members. On the two separate occasions, Anthem Blue Cross mailed authorizations for service to the incorrect member. The Protected Health Information disclosed was the member's name, identification number, and the authorized service. The members' Social Security numbers were not involved with these incidents.</p> <p>Anthem Blue Cross confirmed that the employee involved was sent to proper training on the importance of protecting members' health information. In addition, Anthem Blue Cross sent the members a letter informing them of the incident.</p>

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HIPAA Security Incident - Univita	07/28/11	Univita	HIPAA Security Incident - Univita	<p>Univita reported a Security Incident which occurred July 7, 2011 and which involved one (1) CalPERS Member. The Member information was accidentally mailed to a different office of the provider. The Protected Health Information (PHI) disclosed was the Member's subscriber name, policy number, check, and claim information. There were no Social Security numbers involved with this incident.</p> <p>Univita confirmed the information was shredded. Univita has instituted a verification process when there is a mismatch between invoices and assignment of invoices. Univita's breach and risk analysis indicated (along with their standard disclaimer) that while Univita has a reporting obligation to CalPERS, there is no reporting required by CalPERS to individuals with this incident or HHS (because the content went to another Covered Entity bound by HIPAA to protect the PHI). That entity reported it back to Univita (and confirmed they destroyed it).</p>
Blue Shield of California Security Incident	07/28/11	Blue Shield of California	Blue Shield of California Security Incident	<p>Blue Shield of California (BSC) e-mailed several spreadsheets with Social Security numbers listed; however, the e-mail message attachment was not sent through a secured portal. The e-mail message was sent only to BSC internal staff and CalPERS staff. BSC attempted to retract the e-mail message once it realized a secured portal was not used. However, the retraction was not successful for the CalPERS' e-mail messages.</p>

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HIPAA Security Incident - Univita	08/12/11	Univita	Unauthorized Disclosure of Protected Health Information	Univita reported a Security Incident which occurred July 28, 2011 and which involved one (1) CalPERS member. On July 19, 2011, the member contacted Univita with an address change effective August 10, 2011. The member's Explanation of Benefits (EOB) was mailed to the address on file and not to the requested address change. The Protected Health Information (PHI) disclosed was the member's name, check amount, identification number, and benefit information. There were no Social Security numbers involved with this incident. Univita confirmed that the EOB was shredded. The customer service representative involved has been counseled as to the importance of his personal accountability for protecting the PHI of CalPERS members and that the system cannot hold an address change for a future date.
Unauthorized Advertisements for CalPERS Mortgage Home Loan Program	08/12/11	TalkBack, PAOF1 (PAOF1_TalkBack@CalPERS.CA.GOV)	Unauthorized Advertisements for CalPERS Mortgage Home Loan Program	<p>A Real Estate Broker is infringing on various trademarks owned by CalPERS in connection with marketing mortgage lending services. The CalPERS program was suspended to new loans as of December, 2010. The use (by the Broker) of the CalPERS name and trademark is unauthorized and is subjecting the Broker to substantial civil liability. The unauthorized and inappropriate use of the CalPERS trademark by the Broker has resulted in a complaint from an outraged member who received from the Broker a SPAM e-mail message that advertised home mortgage loans. Per a FAX received from the Broker on Thursday, August 18, 2011, the Broker stated the following:</p> <p>"As of 8/17/2011 All use of CalPERS Name / Trademark has stopped."</p>

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Blue Shield of California Security Incident	08/29/11	Blue Shield of California	Blue Shield of California Security Incident	On Monday, August 29, 2011, a Senior Program Manager for Labor, Public & Strategic Accounts, Blue Shield of California (BSC), sent an e-mail message containing two Social Security Numbers (SSNs) to CalPERS without securing the e-mail message (i.e., not encrypting the e-mail message). BSC has taken the necessary steps to help prevent this security event from occurring again.
Anthem Blue Cross HIPAA Security Incident	09/14/11	Anthem Blue Cross	Unauthorized Disclosure of Protected Health Information	<p>Anthem Blue Cross reported a Security Incident which occurred May 4, 2011 and which involved one (1) CalPERS Member. When the Member's claims crossed over from Medicare to Anthem, the Tax ID was matched with the incorrect provider (York County School Division received a remittance advice intended for York Board of Supervisors). The Protected Health Information disclosed was the Member's name, identification number, date of service, and group number. The members Social Security number was not involved with this incident.</p> <p>Anthem Blue Cross confirmed that the current database is being updated to house the correct Tax ID numbers and the remittance advice for the member was returned by the receiver.</p>

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Anthem Blue Cross HIPAA Security Incident	09/14/11	Anthem Blue Cross	Unauthorized Disclosure of Protected Health Information	<p>Anthem Blue Cross reported a Security Incident which occurred August 4, 2011 and which involved one (1) CalPERS Member. An Authorization for Services letter was accidentally mailed to a different providers office. The Protected Health Information disclosed was the Subscriber name, Date of Services, and the Provider Name. There was no Social Security number involved with this incident.</p> <p>Anthem Blue Cross confirmed the letter was destroyed by the provider. The Anthem Blue Cross employee was coached on double checking all fields prior to submitting the information and to ensure the provider number is correct. Anthem Blue Cross will send a notification letter to the member explaining the nature of the breach.</p>

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Kaiser Permanente HIPAA Security Incident	09/20/11	Kaiser Permanente	Unauthorized Disclosure of Protected Health Information	<p>Kaiser Permanente reported a Security Incident which occurred on August 2, 2011 and involved 41 CalPERS Members. A laptop from a Physical Medicine department where patients undergo clinical procedures was reported missing. The Protected Health Information disclosed was the members' names, dates of birth, medical record numbers, and gender. The missing laptop does not have encryption software installed because of Food & Drug Administration regulations on clinical devices. If encryption software were installed, it may compromise the integrity of the data stored on the laptop which could have an impact on patient care. Kaiser Permanente has investigated the theft thoroughly and has no reason to believe the information is being used for fraud or other criminal activity. There were no Social Security numbers involved with this Incident.</p> <p>Kaiser Permanente has secured all such devices with cables and locks and is working to ensure all similar devices are password protected. Kaiser Permanente is sending a notification letter to all affected CalPERS members.</p>

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Kaiser Permanente HIPAA Security Incident	09/21/11	Kaiser Permanente	Unauthorized Disclosure of Protected Health Information	<p>Kaiser Permanente (KP) reported a Security Incident which occurred on September 16, 2011. The Incident had been ongoing for the past 12 months. KP was conducting an internal investigation and discovered an employee had been accessing patient records over the past 12 months without legitimate business needs. KP has initially identified 16 CalPERS Members. However, the investigation is ongoing and additional Members may be involved. The Protected Health Information disclosed was the members' names, medical record numbers, information about healthcare visits, and medications. There were no Social Security numbers involved with this Incident. The employee's access to patient records has been terminated and additional sanctions or corrective actions are pending the outcome of the investigation.</p> <p>KP is notifying the patients via letter. This Incident was reported to the California Department of Public Health as per the requirements of the California Health and Safety Code 1280.15. The letters to the patients were mailed on 09/16/2011.</p>

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HIPAA Security Incident - Blue Shield of California	09/27/11	Blue Shield of California	Unauthorized Disclosure of Protected Health Information	<p>Blue Shield of California (BSC) reported a Security Incident which occurred on September 22, 2011 and which involved three (3) CalPERS Members. A BSC subscriber contacted BSC Customer Service to advise that he received a flu shot voucher in the mail for a different BSC subscriber. The Protected Health Information disclosed was the member's name, identification number, and date of birth. The Members' Social Security numbers were not involved with this incident.</p> <p>BSC confirmed that the address on file was correct and assumed that the U.S. Postal Service incorrectly placed the mail. BSC re-issued the voucher and confirmed that the original voucher sent was shredded.</p>
Anthem Blue Cross HIPAA Security Incident	10/05/11	Anthem Blue Cross	Unauthorized Disclosure of Protected Health Information	<p>Anthem Blue Cross reported a Security Incident which occurred on September 23, 2011 and which involved one (1) CalPERS Member. An Anthem Associate selected the incorrect Provider for an Authorization of Services letter. The Protected Health Information disclosed was the Member's name and services approved. The Member's Social Security number was not involved with this incident. Anthem confirmed that the Provider returned the letter to Anthem and it was destroyed.</p>

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Univita HIPAA Security Incident	10/07/11	Univita	Unauthorized Disclosure of Protected Health Information	Univita reported a Security Incident which occurred on September 26, 2011 and which involved one (1) CalPERS Member. Two termination letters dated August 11 and September 16, 2011 and a refund check were mailed to an incorrect address. The Protected Health Information disclosed was the member's name, coverage ID number, and billing account number. When Univita received the member's request to terminate coverage and update his or her address, the Univita employee handling the request failed to update the address. The Supervisor reviewed this Incident with the Employee and stressed the importance of verifying demographic changes that are made when requested by the individuals. There were no Social Security numbers involved with this Incident. Univita has updated the Member's contact information and placed a stop payment on the original check and issued a new check. The individual who received the check agreed to destroy it.
HIPAA Security Incident - Medco	10/18/11	Medco	HIPAA Security Incident - Medco	Medco reported a Security Incident which occurred on July 14, 2011 and which involved one (1) CalPERS member. The member's Prescription Drug Profile confirmation letter intended for the member's physician was sent to another member in error. The Protected Health Information disclosed was the member's name, medication, and date of birth. The member's doctor failed to update Medco when he moved to a new location. Medco has removed the doctor's Drug Enforcement Administration number from the source that generates these letters and the doctor's correct address is now in the system. There were no Social Security numbers involved with this incident and the letter was returned to Medco. Medco is sending a notification letter to the affected CalPERS member.

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HIPAA Security Incident - Blue Shield of California	10/24/11	Blue Shield of California	Unauthorized Disclosure of Protected Health Information	Blue Shield of California (BSC) reported a Security Incident which occurred October 20, 2011 and which involved one (1) CalPERS member. A member reported receiving a mail order prescription for another member from Prime Therapeutics (a BSC's vendor for mail order prescriptions). The Protected Health Information disclosed was the member's name, prescription drug, dosage, and prescribing provider. There were no Social Security numbers involved with this incident. Prime Therapeutics has requested the prescription to be returned; at which time, it will be destroyed and a new prescription will be sent to the correct member. Prime Therapeutics investigation is still ongoing and they will update BSC when it is completed.
HIPAA Security Incident - Blue Shield of California	11/02/11	Blue Shield of California	Unauthorized Disclosure of Protected Health Information	Blue Shield of California (BSC) reported a Security Incident which occurred October 31, 2011 and which involved one (1) CalPERS member. A BSC subscriber contacted BSC customer service to advise that she received a flu shot voucher in the mail for a different BSC subscriber. The Protected Health Information disclosed was the member's name, subscriber number, and flu shot voucher number. The member's Social Security number was not involved with this incident. BSC confirmed that the voucher was shredded and corrective actions are being taken to prevent the incident from reoccurring.